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MAILED
APR 28 2010
OFFICE OF PETITIONS

In re Application of :
Gregory ASHTON, et al :
Application No. 10/824,121 : **DECISION ON PETITION**
Filed: April 14, 2004 :
Attorney Docket No. 9522 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed February 12, 2010, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely pay the issue and publication fees on or before January 8, 2010, as required by the Notice of Allowance and Fee(s) Due, mailed October 8, 2009, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on January 9, 2010.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$1510 and publication fee of \$300; (2) the petition fee of \$1620; and (3) the required statement of unintentional delay.

The Office acknowledges the RCE and fee filed with the petition dated February 12, 2010.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

The application is being referred to Technology Center Art Unit 3761 for processing of the RCE.

/d cg/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions